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IMPACT OF GLOBALISATION & TECHNOLOGY ON LEGAL EDUCATION IN CONTEMPORARY ERA

AUTHORED BY - SHREYA JASORIA¹

ABSTRACT

In India, from the Vedic period onwards the concept of dharma is the guiding force in administration, settlement of disputes and of the legal education. The imparting of formal legal education had begun during the British period. Legal profession was introduced with the establishment of Supreme court and High courts in Madras, Bombay and Calcutta in 1726. Thereafter several colleges were started to impart legal education so to prepare practicing lawyers and judicial officers for subordinate courts.

In Post- independence era, the Constitution of India provides that, it shall be the duty of the Central government to fix standards of higher education. Matters relating to the standards of higher education are entrusted to the Union Government under entry 66, List I of the 7th Schedule. But education forms part of List III, giving concurrent legislative powers to the Union and the States. Legal profession along with other professions fall under List III (Entry 26).

Globalization has thrown up new challenges to legal profession. Globalization makes it increasingly difficult for legal study to be contained within the territorial boundaries of national legal systems. To meet challenges of globalization, a lawyer needs to have a vision of emerging problems, zeal to serve the cause of justice and the ability to forge new tools and techniques appropriate to the changing needs and times. Technology is an enabling mechanism; it is not an end in itself. It can be used effectively to enhance a system or a program that also involves in the flesh face-to-face exchanges between students and professors.

KEYWORDS: Law, Justice, Legal Education, Globalisation, Technology

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I. INTRODUCTION

Law pervades everywhere and everything; it is all-embracing and permeates every sphere of life and society. Knowledge of law, both professional and general, therefore, is indispensable for human development.² Law education is crucial for the proper administration of rule of law. Law, by its very nature, is constantly changing and adapting to the needs of the society around it and as the law changes, legal education must change with it.³

Globalisation in the modern sense is launched from the pad of international legal order and not from missile silos. For negotiating this, not just values and emotions but skills and reasoning have to be important. It is in this context, we need to take a relook of the content, curriculum and teaching methods to meet the goals set out in our Constitution.⁴ The same was echoed by Justice A.M. Ahmadi when he said in a lecture, “I think we have waited long enough to repair the cracks in the legal education system of this country and it is high time that we rise from our arm chairs and start the repair work in right earnest.”⁵

With globalisation, the regulatory framework for legal education in India requires profound changes to meet the emerging demands of the consumers of legal services. Today, India stands integrated with the world economic order in the era of liberalisation, privatisation and globalisation. The law students need to be taught and equipped with such tools and techniques of the trade which render them power to face this new globalised world order effectively, to which they are exposed. This requires a cooperative and collaborative effort which involves the academics, the Bar, the Bench, the industry and the other stakeholders.⁶

² Faizanur Rahman and Mohd. Amir, Globalising the Indian Legal System, 6 *NLOU LJ* (2019) at 128, available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAxMjAxNDgxJiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVudjYmJiZ0cnVlJiYmJiZnBG9iYWxpc2F0aW9uIGFuZCBsZWdhbCBIZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 14th January 2024.

³ A. Sherr, Professional Work, Professional Careers and Legal Education: Educating the Lawyer for 2010 (2000) 7(3) *International Journal of the Legal Profession* at 339, available at <<https://doi.org/10.1080/096959500750143142>> accessed on 16th January 2024

⁴ Ranbir Singh, Globalisation And Legal Education: Challenges Ahead, An Idea Of A Law School Ideas From The Law School: A Collection Of Essays, at 39 available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAxMzg2MzUwJiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVudjYmJiZ0cnVlJiYmJiZnBG9iYWxpc2F0aW9uIGFuZCBsZWdhbCBIZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 19th January 2024.

⁵ A.M. Ahmadi, *Repairing the Cracks* in Legal Education, (1993) 1 SCC J-3.

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Sushila, Legal Education in Globalised World: Challenges and Opportunities, (2013) PL June 67 available at

<https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC0wMDAwMDA0MjQxJiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVudjYmJiZ0cnVlJiYmJiZnBG9iYWxpc2F0aW9uIGFuZCBsZWdhbCBIZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==>
Page | 6

Humanity has produced enormous technical developments that have lowered barriers and unified people. Globalisation has resulted in emergence of new transnational area in form of Information technology law. In the current scenario and with the advent of information technology, artificial intelligence, internet, computer, the term legal education has attained multidimensional meaning. Legal education in contemporary times has not remained concise in terms of imparting the knowledge on law; rather it connects its horizons to history, economy, polity, jurisprudence and therefore it has attained a multidisciplinary approach.⁷ In the aftermath of the pandemic, the world is shifting to online methods of learning and even the courts have adopted the online means to address cases. Innovative advancements in technology and artificial intelligence have created a unique opportunity to re-envision both legal education and the practice of law.⁸

II. LEGAL EDUCATION

i. Importance of Legal Education

Legal education is a sine-qua-non for the development of rule of law and a sustainable democratic order. Legal education plays an important role in developing lawyers who act as social engineers and work towards the cause of nation building.⁹ The legal education is concerned with the basic philosophies, ideologies, critiques and instrumentalities, and also addresses the aspect of creation and maintenance of a just society.¹⁰

The policy of the legal education should be moulded with the tune of rapid contemporary changes as the result of scientific and technological development in the recent years. Legal education generally refers to that education of lawyers before entering into the real practice.

ZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ== pg 67 accessed on 19th January 2024

⁷ Tushar Chaudhary, Legal Education and Pedagogy in Contemporary Era: An Indian Perspective, [2020] 9.2 *NLUJ* at 77, available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAwNzEwMTc2JiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZ0ZWNobm9sb2dpY2FsIGltcGFjdCBvbiBsZWdhbCBIZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 18th January 2024.

⁸ Christian Powell Sundquist, Technology and (Re)Construction of Law, *Journal of Legal Education*, Vol. 70, No. 2/3 (Winter & Spring 2021) at 402, available at <https://www.jstor.org/stable/27190751> accessed on 21st January 2024.

⁹ C. Raj Kumar, Legal Education, Globalization and Institutional Excellences: Challenges for Rule of Law, and Access to Justice in India, *Indiana Journal of Global Legal Studies*, Vol. 20, No. 1 (2013), pp. 221-252, available at <https://www.jstor.org/stable/10.2979/indjgolegstu.20.1.221> accessed on 21st January 2024

¹⁰ Subir Kumar and Priya Vijay, Language and Future of Legal Education: Contemporary Challenges, 12 *RMLNLUJ* (2020) at 192 available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAwNzcxMzY2JiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZnB9iYWxpc2F0aW9uIGFuZCBsZWdhbCBIZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 18th January 2024.

Legal education in India is offered by the universities and by the specialized law universities and schools after the completion of undergraduate degree or as integrate degree.¹¹

Legal education caters to the institutional upbringing of a society based on law.¹² The goal of legal education should be the pledge of Nehru when India got freedom. He said: “The service of India means the service of the millions who suffer. It means the ending of poverty and ignorance and disease and inequality of opportunity. The ambition of the greatest man of our generation has been to wipe every tear from every eye. That may be beyond us, but as long as there are tears and suffering, so long our work will not be over.”¹³

Legal Educational Institutions are not marketplaces; neither education is a commodity traded on demand and supply. Institutions are knowledge spaces and education is a value in itself to distinguish between fair and unfair, just and unjust. It has to inculcate values like sacrifice, sensitivity to sufferings, courage to fight for justice and fairness, to stand up for the dispossessed and marginalized, the determination to stand against the odds for the sake of justice.¹⁴

ii. Historical Development

a. Ancient India

Anand J. observed “Legal education is distinct to other streams of education due to its significant contribution to society and national integration. Legal education in India could be traced as early as the Vedic age when it was essentially based on the concept of Dharma. However, there is no evidence of any formal legal education offered at that time. The training in law was self-learning, and mostly the kings themselves dispensed justice. Occasionally, judges were appointed to administer justice. These judges were not formally trained in the administration of justice but were well known for their ‘righteousness and justness’ and for following Dharma”.¹⁵ He further stated that “in the

¹¹ Pranav Kaushal, Emerging Legal Scenario in India- A Renaissance, available at <https://www.intolegalworld.com/article?title=emerging-legal-scenario-in-india-a-renaissance> accessed on 24th January 2024

¹² Krushna Chandra Jena, Role of Bar Councils and Universities for Promoting Legal Education in India, 44 *JILI* (2002) at 555, available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAwMzE3OTMwJiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxc2NyZWVuJiYmJiZ0cnVlJiYmJiZnbG9iYWxpc2F0aW9uIGFuZCBsZWdhbCB1ZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 15th January 2024.

¹³ Quoted by Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (1972) 26, vide V.R. Krishna Iyer, *Social Justice: Sunset or Dawn* (2nd Edn. 1987) at 31

¹⁴ Ranbir Singh, “Universities Engaging with Their Social and Cultural Environment: NALSAR — A Case Study” (2003) 1 *NSLR* at 29.

¹⁵ Dr Justice A.S. Anand, “H.L. Sarin Memorial Lecture : Legal Education in India — Past, Present and Future”, (1998) 3 *SCC J* at 1

absence of need for trained legal professionals, there was no institutionalization of legal education as a separate branch, but the same could be said to have been imparted as a part of general education which revolved around the notion of Dharma.¹⁶

b. British India & Post-British Era

The modern Indian legal profession dates from British rule with the establishment of courts in Madras, Bombay and Calcutta in the year 1726. In pre-Independence India, the legal profession occupied a dismal spot in society for a long time. The quality of students opting for law had significantly deteriorated over the years and legal education was unimaginative and divorced from social context.¹⁷ There was also a clear distinction between English and Indian-trained lawyers, with the former being given preferential treatment.¹⁸ Moreover, while it is true that many key political and executive posts were held by eminent, native-trained lawyers¹⁹, the state of the profession as a whole was seen as unsatisfactory.²⁰

Following the country's independence, legal education ought to have undergone a radical makeover in order for the legal profession and curriculum to actualize the principles outlined in the Indian Constitution and bring about social, economic, and political justice. Alas! The task was not taken up at the right time, to fit in and to nurture the constitutional philosophy of social justice. Legal education and profession since then have lagged much behind and to a great extent has not even been able to play its role as an effective means of providing justice.²¹

¹⁶ *Ibid*

¹⁷ F.S. Bloch and M.R.K. Prasad, Institutionalizing a Social Justice Mission for Clinical Legal Education: Cross-National Currents From India and the United States, (2006) 13(1) *Clinical L Rev* at 172, available at <<https://doi.org/10.2139/ssrn.839766>> accessed on 16th January 2024

¹⁸ A.P. Aggarwal, "Legal Education in India" (1959) 12(2) *J Legal Educ* 231-248, 232, available at <https://www.jstor.org/stable/42891345?seq=1#page_scan_tab_contents> accessed on 13th January 2024

¹⁹ S. Ballakrishnen, *Where Did We Come From? Where Do We Go?: An Enquiry Into the Students and Systems of Legal Education in India* (2009) 7(2) *Journal of Commonwealth Law and Legal Education* pp. 133-154, available at <<https://doi.org/10.1080/14760401.2009.496610>> accessed on 13th January 2024

²⁰ L. Dasgupta, Reforming Indian Legal Education: Linking Research and Teaching" (2010) 59(3) *Journal of Legal Education* pp. 432-449, available at <<http://jle.aals.org/home/vol59/iss3/6/>>. Accessed on 14th January 2023

²¹ Ranbir Singh, Globalisation And Legal Education: Challenges Ahead, An Idea of a Law School Ideas from the Law School: A Collection of Essays, at 42 available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAxMzg2MzUwJiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZHbG9iYWxpc2F0aW9uIGFuZCBsZWdhdhCBiZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYwxxzQ==> accessed on 19th January 2024.

The legal education in India is presently regulated by multiple agencies including the University Grants Commission (UGC)²², the Bar Council of India (BCI)²³, the Government and the respective universities. Traditionally, legal education in India was conducted through the medium of non-specialised universities which granted law degrees like any other graduate degree. These universities referred and taught the curriculum prescribed by the BCI but since they were under the overall control and supervision of the UGC and therefore it was not possible for the BCI to effectively pursue reforms in legal education. The first concrete decision to this end was taken in 1984 when various proposals to modernise legal education were considered and approved by the “Legal Education Committee”²⁴ of the BCI, in an attempt to improve legal education throughout India. One of the major proposals was the decision to establish specialised institutions to impart legal education in an integrated and diversified manner. The first autonomous law school established to implement the reforms in legal education in India was the National Law School of India University which was established in Bangalore which was followed by the establishment of different National Law Schools. In present century, technology has offered the attractive possibility of making legal education both more efficient and more effective when the Law schools are facing a host of difficulties like declining enrollments, declining job prospects for graduates, reduced public funding, and understandable concerns about cost and debt.

III. INFLUENCE OF GLOBALISATION ON LEGAL EDUCATION

i. Understanding globalization

Globalisation in a sense is part of human history. One can benchmark the historical attempts of such a phenomenon in the words of an African historian by three G's. The first “G” wave was in the name of “GOD”, the medieval wars were fought and wars on other parts ravaged. The second “G” wave of Globalisation was in the name of “GOLD” — territorial conquest for the riches and colonisation occurred and the third

²² The University Grants Commission, under Section 2(f) of the University Grants Commission Act, 1956 (UGC Act) is also having power to exercise control over the Universities and affiliated Colleges.

²³ Under Section 7(1)(h), the Advocates Act, 1961, the BCI is entrusted with the duty “to promote legal education and to lay down standards of such education in consultation with the Universities in India imparting such education and the State Bar Councils.”

²⁴ The Legal Education Committee makes recommendations to the Bar Council of India on matters related to legal education. Hon'ble Mr Justice A.P. Misra, is its Chairman presently.

wave in the name of “GLORY” was in terms of ideology, millions were spent on who will first send the monkey to outer orbit. I would like to add that the fourth “G” of Globalisation attempted now is on the name of “GROWTH” in terms of trade and commerce.²⁵

The crucial difference between the earlier three G's and the fourth one is that earlier, attempts relied on physical power; whereas, the current discourse on globalisation is on the basis of international law and compliance of national legal regimes. This brings the legal fraternity to the centre stage of the current wave of globalisation.²⁶

Globalisation is playing an important role in changing the entire polity and society. To accomplish the imperative goal of the expansion of a knowledge-based economy, the reform of legal education has become a priority. Universities, across the world, are preparing themselves to face the challenges of the globalisation in the changing climate of internationalisation of education.²⁷

Today we are living in the age of legal globalisation where judges are required to be well aware of the concept of “convergence” between constitutional concepts, economic concepts, corporate concepts and taxing concepts²⁸, in absence of which they will not be able to do justice.

²⁵ “Gold, God and Glory”, International Encyclopedia of the Social Sciences, <<http://www.encyclopedia.com/social-sciences/applied-and-social-sciences-magazines/gold-god-and-glory>> accessed on 18th January 2024.

²⁶ Ranbir Singh, Globalisation And Legal Education: CHALLENGES AHEAD, An Idea Of A Law School Ideas From The Law School: A Collection Of Essays, at 38 available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAxMzg2MzUwJiYmJiY0MCYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZHbG9iYWxpc2F0aW9uIGFuZCBsZWdhbCBlZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 19th January 2024.

²⁷ Sushila, Legal Education in Globalised World: Challenges and Opportunities, (2013) *PL* June at 68 <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC0wMDAwMDA0MjQxJiYmJiY0MCYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZnbG9iYWxpc2F0aW9uIGFuZCBsZWdhbCBlZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 19th January 2024

²⁸ S.H. Kapadia, Human Rights & Social Justice, Extempore speech by Hon'ble Mr Justice S.H. Kapadia, Judge, Supreme Court of India on the occasion of the Eighth Justice J.K. Mathur Memorial Lecture on 13-12-2008 at Lucknow, (2009) 3 SCC-J 19, available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC0wMDAwMDA1OTU1JiYmJiY0MCYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZnbG9iYWxpc2F0aW9uIGFuZCBsZWdhbCBlZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 19th January 2024

ii. Implications of Globalization on Legal Education

Professor William Twining²⁹ identifies five developments in law which are result of globalisation:

- increased emphasis on established transnational fields, such as public international law, regional law, international trade and finance, environment law, international criminal law, law and development;
- legal dimensions of global issues;
- transnational dimensions of core subjects such as contracts, criminal law, family law, intellectual property and labour law;
- diffusion of law through migration and interface of religious and customary practices with law; and
- the need for practitioners to look beyond the law of the jurisdiction in which they practise.³⁰

iii. Initiatives undertaken in light of Globalization:

Initiatives to promote international perspectives include building collaborations and partnerships with noted foreign universities for award of joint/dual degrees; finding ways of evolving transnational curricula to be taught jointly by a global faculty through video-conferencing and internet modes; as well as creating international faculty, international courses and international exchange opportunities among students are being promoted in the light of Globalisation.

a. Global Curriculum-

To enable Indian lawyers to compete in the transnational marketplace, law curricula has included topics of universal application and provided education in new areas like comparative law, information technology, intellectual property, corporate governance, human rights, and international trade law.³¹ A greater exposure to foreign laws has not only prepared our graduates to practice in an increasingly global environment, but has also equipped them with a deeper understanding of the choices made by [their] own legal system, giving lawyers

²⁹ William Twining, formerly Emeritus Quain Professor of Jurisprudence has held chairs in Belfast and Warwick and numerous visiting appointments.

³⁰ Prof William Twining, "Implications of Globalisation for Law as a Discipline" in A. Halpin and V. Roeben (Eds.), *Theorising the Global Order* (2009).

³¹ Nehaluddin Ahmad, Adapting Indian Legal Education to the Demands of a Globalizing World, 10 *GERMAN L.J.* at 847 (2009)

and judges “more colors on their palates from which to choose in fashioning creative solutions to modern legal problems.”³²

b. Global Faculty-

Globalisation has provided new opportunities to address the challenge of hiring good faculties in law schools in India and abroad. Issues relating to the Indian legal system are not only taught and researched in India, but also in many other parts of the world.³³ Growing numbers of Indian lawyers and scholars are involved in this effort supported by our schools’ abilities to provide the right kind of intellectual environment and financial and other incentives for Indian or foreign scholars to teach and pursue research in India and to contribute to its growth story.

c. Global Interaction

The law schools have provided academic space for engaging in teaching and cutting edge research on issues of global significance. The institutions have constantly reinvented themselves for facing the challenges of globalization through exchange and collaboration programmes which has different implications for faculty, students, and for the development of teaching and research programmes.

iv. Transformation of “Legal Education” to “Justice Education”

A New Order should flame forth from the burning embers of Old Order in the new millennium based on a new jurisprudence — socially relevant, purposive and just. If such a value system is lost, the legal education and its outcome could turn out to be a potential conduit to a new variance of colonisation sans territorial control. The need of the hour is to set the goals which should set the house in order to gear up for meeting the challenges of globalisation.³⁴

³² R. Michael Cassidy, Beyond Practical Skills: Nine Steps for Improving Legal Education Now, 53 *B.C. L. REV* pp. 1515, 1522 (2012).

³³ For example, courses on comparative constitutional law taught in some American universities include the study of Indian constitutional law. See Course Catalog, HARVARD LAW SCHOOL, available at <http://www.law.harvard.edu/academics/curriculum/catalog/index.html> accessed on 21st January 2024
Descriptions, THE UNIVERSITY OF MICHIGAN LAW SCHOOL, <http://www.law.umich.edu/currentstudents/registration/ClassSchedule/Pages/AboutCourse.aspx?crseId=043899> accessed on 21st January 2024

³⁴ Id. Ranbir Singh, Globalisation And Legal Education: Challenges Ahead, An Idea Of A Law School Ideas From The Law School: A Collection Of Essays available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAxMzg2MzUwJiYmJiY0MCMYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVvUjYmJiZ0cnVlJiYmJiZHhG9iYWxpc2F0aW9uIGFuZCBsZWdhbCB1>

The “Present” should be grounded in strong realities to plan for “Future” strategies. In such context, we need to transform “Legal Education” as “Justice Education”.³⁵ After all “Law” is an instrument to attain “Justice” and hence it needs to be broadened in its construct as “Justice Education”. Such an approach is essential to realise the ideals set in the Constitution. For such a vision, the process will involve translating the ideals as goals, strategising the goals into appropriate content and curriculum and infusing them with effective teaching methods. If done, it will raise a new breed of professionally equipped and socially relevant lawyers who will rise to become the vanguard of the judicial system in the service of the society.

IV. ROLE OF TECHNOLOGY IN LEGAL EDUCATION

The role of legal education in India now has not just limited to imparting legal knowledge to the students and making them budding lawyers, judges, or legal academicians; but rather the role has transformed to a bigger picture. The paradigm shift in the legal industry, with the influx of technology has turned the tables completely, the scope is not just limited to books and paper but with prevailing contemporary situations, the world is becoming digital and with the advent of digitalization the legal world has entered into a completely different era. Prestigious law schools such as Harvard and MIT consider that “the Internet is set to enable the single biggest change in education since the printing press.”³⁶

It is at least clear that to the extent the use of technology involves the regulation of human conduct, whether by legislation or rule-making, the lawyer does have the obligation of formulating and drafting the laws and rules by which men are to be governed. It is here that implications arise which have a bearing on legal education.³⁷ Law schools play a critical role in both the dissemination and production of knowledge and have a unique opportunity (and responsibility) to re-envision the entirety of legal education to more thoughtfully prepare future lawyers for the new techno-legal world impacted by COVID-19.³⁸

ZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ== accessed on 19th January 2024, pg. 38

³⁵ Id

³⁶ John E. Chubb & Teriy M. Moe, Higher Education's Online Revolution, *Wall St. J.*, 2012 at A17.

³⁷ Charles B. Nutting, Technology, Legislation and Legal Education, *American Bar Association Journal*, Vol. 48, No. 10 (OCTOBER 1962), pp. 965-966, available at <https://www.jstor.org/stable/25722152> accessed on 21st January 2024

³⁸ See Vern R. Walker et al., Law Schools as Knowledge Centers in the Digital Age, 88 *Chi.-Kent L. Rev.* at 898 (2013) (discussing the role of “law school as a knowledge center”

The developments in technology is a major breakthrough into the field of legal education where being tech savvy could save on infrastructure and man power costs, and shall improve the quality of services being delivered to the clients, which enables better legal reasoning in time bound situations.³⁹

i. Technological Advancements in Legal Education and Practice

- *Use of audio-visual techniques:* An interesting alternative to conventional black board teaching is using audio-visual techniques. The use of overhead projectors, slides, cassettes, films on important cases etc. creates an interest in the students because these devices have enormous communicative power.
- *Use of computers & Internet facilities:* With the advancement of science, a student with a tip of his finger now can go through any judgements saving time and making him enthusiastic to learn more. Internet facility is also another device where a student of law can have an access to the recent developments on any law across the continents.⁴⁰
- *E-libraries:* Universities have prioritized building comprehensive e-libraries with access to a multitude of legal resources in addition to having well-built library infrastructure on campus. Students who have remote access to databases like Manupatra, SCC Online, Jstor, Ebsco, HeinOnline, and LexisNexis—stay up to date and get ready for debates, legal drafting, moot court contests, and legal research.
- *Use of Artificial Intelligence:* Artificial intelligence has been implemented in the area of "knowledge management" and predictive legal research.⁴¹ Law firms and lawyers across the world have begun integrating law-based artificial intelligence systems into their practice to improve efficiency and the delivery of lower-cost basic legal services to clients.⁴² IBM's "ROSS" artificial intelligence system, for example, has been touted as

³⁹ Nandini Garg and Siddhant Garg, Analysis of Challenges posed by Legal Education and the Need of Transformation in Contemporary Times, [2020] 9.2 *NLUJ* 31, available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC05MDAwNzEwMTczJiYmJiY0MCYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZnbG9iYWxpc2F0aW9uIGFuZCBsZWdhbCBlZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYmYXZlZQ==> accessed on 17th January 2024, pg. 35

⁴⁰ Subhas P. Rathore, "Some Techniques of Teaching Law", AILTC (All India Law Teachers Congress, Faculty of Law, University of Delhi) 51 (1999) at 392.

⁴¹ IBM Cognitive Business, How Watson Helps Lawyers Find Answers in Legal Research, *MEDIUM* (Jan. 4, 2017), available at <https://medium.com/cognitivebusiness/how-watson-helps-lawyers-find-answers-in-legalresearch-672ea028dfb8> accessed on 23rd January 2024

⁴² Erin Winick, Lawyer-Bots Are Shaking up Jobs, *miT Tech. Rev.* (Dec. 12, 2017), available at <https://www.technologyreview.com/s/609556/lawyer-bots-are-shaking-up-jobs/>; accessed on 23rd January 2024

“the world’s first artificially intelligent attorney.”⁴³ E-discovery technology has also advanced to the point where an artificial intelligence system such as Contract Intelligence (“COIN”) (a JP Morgan software program) can perform (in mere seconds) document reviews of complex matters that used to require 360,000 human hours.⁴⁴ Law-based artificial intelligence systems are able to more quickly and accurately identify potential legal issues in a series of nondisclosure agreements than seasoned contract attorneys.⁴⁵ Likewise, CaseMine has developed CaseIQ, an artificial intelligence tool to assist with complex legal research projects by allowing researchers to “obtain highly relevant search results directly from a brief (or other associated legal document), bypassing the need to reformulate case facts into searchable legal propositions.”⁴⁶

- *Online Dispute Resolution*: Our system of judicial adjudication has also been greatly impacted by technology, with virtual courts and online dispute resolution (“ODR”) growing exponentially over just the past few years.⁴⁷

ii. Rising Concerns due to Technological Advancements

- The recent emergence of artificial intelligence technologies, however, has also been seen as a threat to the future of legal education and law practice, with concerns that such technologies tend to embed the social biases of their coders while automating the functions of lawyers.⁴⁸
- Emerging machine-learning and predictive technologies are often seen as an existential threat to both legal practice and education, potentially eliminating the need for (human) lawyers to perform certain tasks and services (such as basic legal research, the drafting of

⁴³ Chris Weller, The World’s First Artificially Intelligent Lawyer Was Just Hired at a Law Firm, *Bus insider* (May 16, 2016), <https://www.businessinsider.com/the-worlds-first-artificially-intelligent-lawyer-gets-hired-2016-5> accessed on 22nd January 2024

⁴⁴ Erin Winick, Lawyer-Bots Are Shaking up Jobs, *miT Tech. Rev.* (Dec. 12, 2017), available at <https://www.technologyreview.com/s/609556/lawyer-bots-are-shaking-up-jobs/> accessed on 23rd January 2024

⁴⁵ Christian B. Sundquist, Artificial Intelligence, Algorithmic Knowledge and the Future of Law Schools, *Place To discuss Best practices for Legal Educ .* (Apr. 9, 2018), available at <https://bestpracticeslegaled.com/2018/04/09/artificial-intelligence-algorithmic-knowledge-and-the-future-of-law-schools/> accessed on 22nd January 2024

⁴⁶ CaseMine Features, CaseMine (2022), available at <https://www.casemine.com/home/guide> [https://perma.cc/SF4X-R576]. Further, the CaseIQ system feeds the search result information “into a complex predictive algorithm that leverages the archived intelligence of legal experts who’ve explored these issues previously to compile a list of highly relevant case laws, thereby highlighting potential missing points of law, or alternative arguments not appraised prior.”

⁴⁷ Richard Susskind, *Online Courts And The Future Of Justice* (2019); Joint Technology Committee et al., *JTC Resource Bulletin: Case Studies in ODR for Courts* (2020) available at https://www.ncsc.org/__data/assets/pdf_file/0020/16517/2020-01-28-odr-case-studies-v2-final.pdf [https://perma.cc/CR5K-DCZN] accessed on 22nd January 2024

⁴⁸ Richard Susskind, *Online Courts And The Future Of Justice*, (2019), at 179, Oxford University Press

basic legal instruments, etc.) while negatively impacting legal employment opportunities.⁴⁹

iii. Way Forward

- To promote access to civil justice, disruptive legal information technology should be adopted and a *positive right to access ELI* be established. Electronic Legal Information (ELI) refers to— (i) an integrated Electronic Law governing civil procedures and other areas of substantive law; (ii) electronic legal document filings and evidence; and (iii) electronic court case status information.⁵⁰
- The video conferencing and other online mechanisms can be used as a mean to *globalize law schools*. Indian Law schools can arrange foreign university faculties to teach their students, even the law students from abroad can interact with Indian law school students through video conferencing. And in such a way, students can experience versatile areas of legal education and teaching environment. Indian Universities can have a tie-up with foreign universities in this respect. The out-turn herein is that students who otherwise could not have afforded the cost of traveling to a foreign country would nonetheless have the opportunity of learning from a foreign professor.⁵¹
- Law schools must endeavour to create opportunities for law students to work closely with AI programmers to develop and implement future legal technology also enabling them to critically interrogate the assumptions that underlie legal algorithms.⁵²
- In the light of above developments, one can conclude that traditional legal education model based in part on the transmission of information and descriptive knowledge (which has now largely been displaced by technology) must give space to the new legal education model based on critical analysis, creative problem-solving, the exercise of independent

⁴⁹ Richard Susskind, *Tomorrow's Lawyers: An Introduction To Your Future* passim (2d ed. 2017) (predicting fundamental and irreversible changes in the world of law), at 185, Oxford University Press

⁵⁰ A. Lakshminanth and Mukund Sarada, Digital Revolution and Artificial Intelligence- Challenges to Legal Education and Legal Research, at 2, available at <https://sconline.bhuelibrary.in/Members/NoteView.aspx?enc=SIRYVC0wMDAwMDAwMDM4JiYmJiY0MCYmJiYmU2VhcmNoJiYmJiZmdWxsc2NyZWVuJiYmJiZ0cnVlJiYmJiZ0ZWNobm9sb2dpY2FsIGltcGFjdCBvbiBsZWdhbCBIZHVjYXRpb24mJiYmJkFsbFdvcmRzJiYmJiZnU2VhcmNoJiYmJiZmYWxzZQ==> accessed on 23rd January 2024.

⁵¹ Mohammad Irshad and Divya S, Incorporating Technology in Every Aspect of legal Education, *International Journal Of Legal Science And Innovation*, Volume 2 Issue 2, at 303 available at <https://www.ijlsi.com/incorporating-technology-in-every-aspect-of-legal-education/> accessed on 12th January 2024

⁵² Drew Simshaw, Ethical Issues in Robo-Lawyering: The Need for Guidance on Developing and Using Artificial Intelligence in the Practice of Law, 70 *HASTINGS L.J.* at 208 (2018) (discussing judicial trends in interpreting the impact of technology on "the practice of law"); available at <https://www.hastingslawjournal.org/wpcontent/uploads/70.1-Simshaw.pdf> accessed on 23rd January 2024

judgment, and emotive client-based lawyering (which cannot yet be so easily replaced by “narrow” systems of artificial intelligence).⁵³

V. CONCLUSION

Since law is an organic subject which changes with changing needs of the society, the legal education should also adapt and develop itself on an ongoing basis, to meet the ever changing and growing demands of the society. It should be equipped, comprehensively and systematically, to cater to the complexities of different as well as changing scenarios and situations. Hence, law has a significant role to play at this juncture of time in this era of globalisation when each nation is trying hard to control knowledge and to adapt itself to new situations.

Any dogmatic adherence to the old, traditional and existing system would be suicidal in the days ahead. So, a balance should be maintained in order to change the entire fabric of legal education system in India, keeping in mind the necessity of globalisation and technological advancements.

“Legal Education” as “Justice Education” in the new millennium has to prepare the law students to become the “frontier men” of legal education. On them lies the responsibility to liberate legal education from its shackles. We have to prepare them to place their skills at the service of the people.

With an era of globalisation, it is true that the country will have a technological push but along with that an ethical push is also imperative for any civil society. Reaching the unreached and including the excluded within the domain of justice should be the goal of real legal education in the country. In the era of globalisation, the challenges for legal education are daunting but the law schools of the day have to rise to the occasion. Legal education has to respond to the call of justice, social, economic and political; today. Tomorrow may be too late⁵⁴

⁵³ Christian B. Sundquist, *The Future of Law Schools: COVID-19, Technology, and Social Justice*, Volume 53 *Connecticut Law Review* Online Edition, 1 (2020) available at https://scholarship.law.pitt.edu/cgi/viewcontent.cgi?article=1489&context=fac_articles accessed on 23rd January 2024

⁵⁴ Ranbir Singh, *Globalisation And Legal Education: CHALLENGES AHEAD*, An Idea of a Law School Ideas from the Law School: A Collection of Essays, at 47 available at [https://www.ijlra.com](#)

In a democratic country, like India, to meet the challenges of the legal knowledge domains of the 21st century, legal education must conform to the ideas of innovation, information sharing, knowledge application and its management at professional and institutional levels. The quality legal education is the most important factor for the protection and development of democratic and principle of social justice underlying the Constitution. The quality legal education only can produce responsive and sensitive legal professionals. The success and healthy development of law profession solely depends upon the effective legal education. Thus it is the solemn duty of the government, Law Schools, Universities, Bar Councils and Bar Associations to play significant and meaningful role in promoting legal education.

